



Ninety-Eighth Legislature - First Session - 2003
Introducer's Statement of Intent
LB 613

Chairperson: **Kermit A. Brashear**
Committee: **Judiciary**
Date of Hearing: **February 26, 2003**

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

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LB 613 would provide a limited evidentiary, testimonial privilege to employee or volunteer advocates in domestic violence sexual assault programs. Under LB 613, a party may seek disclosure of a confidential communication by filing a motion enumerating why the disclosure is necessary and that it constitutes relevant and material evidence in a case. The court hearing officer shall review the confidential communication in camera to determine whether a failure to disclose the communication would violate the constitutional rights of the party seeking the disclosure.

Under LB 613, an advocate is defined as any employee or supervised volunteer of a domestic violence and sexual assault program that is not affiliated with a law enforcement or prosecutor's office whose primary purpose is assisting domestic violence and sexual assault victims. To qualify as an advocate under this measure, a person must have completed at least 20 hours of training provided by the program for which the person is working or by the Nebraska Domestic Violence Sexual Assault Coalition. LB 613 does not relieve an advocate from the duty of reporting suspected adult abuse or neglect as required by section 28-372, suspected child abuse or neglect as required by section 28-711, or any other legal duty to report a criminal act.

Principal Introducer: _____
Senator Patrick J. Bourne